

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BRICKLAYERS & ALLIED CRAFTWORKERS  
LOCAL 1 OF PA/DE, *et al.*,

Plaintiffs,

v.

LOWER STATE TILE & MARBLE COMPANY  
and JOHN DIDONATO, individually & as  
President & Treasurer/Co-Chief Executive Officer  
of Lower State Tile & Marble Company,

Defendants.

CIVIL ACTION  
NO. 13-3299

**ORDER**

**AND NOW**, this 10th day of March, 2014, Plaintiffs having filed an Amended Complaint (Docket #6) that does not name former Defendant Marble Concepts LLC, and the Clerk's office having accordingly terminated Marble Concepts LLC as a Defendant in this matter, it is hereby **ORDERED** that Marble Concepts LLC's Motion to Dismiss for Lack of Jurisdiction (Docket #5) is **DENIED AS MOOT**.

**BY THE COURT:**

**/s/ Jeffrey L. Schmehl**  
Jeffrey L. Schmehl, J.